

ARMY HEROES INDIGNANT AT UNEQUAL PAY

Military Law Favors Regulars as Against Draft Men and Volunteers.

HOW DISABILITY OCCURS
\$125 a Month Given in One Branch and Only \$21 in Others.

Two men lay side by side in the Walter Reed Hospital in Washington. Both were First Lieutenants in the Regular Army, the other in the National Guard. Each had served abroad with distinction and each had lost a leg. They were discussing what they would receive as compensation for their injuries. "Well, it might be worse," said the regular. "I will get \$125 a month, three-quarters pay on retirement and I guess I can huddle along on that until something turns up and I get used to this wooden limb." "Rather soft on you," said the other. "I get \$21 a month and I can't huddle or anything else on that until I build up my practices again."

Here are two men of the same rank, each wearing the same uniform, each with the initials "U. S." on his coat collar, with the same amount of military experience, each having offered his all to his country, each having received the same kind of wound in, perhaps, the same battle, each having entered the army from civil life and looking forward again to an attempt to pick up the dropped threads with the handicap of a serious physical injury.

Law's Inconsistency.
Yet one of these men because of the inconsistency of military law will be retired from the army with a pension sufficient at least to maintain him while the other will be discharged "for the convenience of the service" with hardly enough to enable him to eke out a living. Walking with a new wooden leg is not easy.

Men who left college and the professions or business to enter the army when this country declared war are just waking up to this sharp distinction between the Regular Army and other branches of the service. They had all been getting the same pay and the same allowances, and had supposed that all officers in the army were on a basis of equality when they were retired because of disability.

They had been too busy fighting to think much about retirement until they were wounded, the reasons for the inconsistency being too deeply hidden in military statute books to be excavated by men busily engaged in training or pushing an offensive. But when they were knocked out and began to wonder through the long days in the hospitals what the future held for them, they found that there was one set of military laws for the regular and another for the volunteer.

Some rumors of this began to reach the hospitals in France where officers with the "U. S. R." on their collars filled the cots. There were few regulars among them. This is no reflection on the Regular Army officer as such, for it is a matter of common knowledge that most of them were kept in this country for training troops, only 35 per cent. going abroad, while in the whole army the officers from civil life greatly outnumbered the regulars.

Began to Get Angry.
But the fact remains that most of them were reserve officers of the guard or the national guard and they became intensely interested in the reported distinction. They dug out copies of the compensation law and of the military laws and found that the reports were well founded, that the regular officer was in a much more advantageous position. Then they began to get mad.

An officer wrote back a letter, part of which was printed in the *Army and Navy Journal*, in which he said:

"The regular gets retirement with three-quarters pay, but the others are assured only of a pension. The Government in comparison is this with the three-quarters pay of the regular for life when retired. The argument that the regular has given up his whole life to the military service and always has had a Government salary will not appeal very strongly to those officers who came from the ranks of citizens and went to war at their country's call. The War Department has held that there is now only one army, and that the United States army. If that is so, why not treat all officers alike?"

But these men found that a Regular Army officer did not need the qualifications of always having served the Government to get that preference in pay. They found that men who had been graduated from the officers' training camps, young men from the ranks, and even provisional commissions in the Regular Army also were eligible to retirement with three-quarters pay.

What Bulletin 43 Shows.
That this was not the result of old army laws, framed before any one saw in prospect the formation of a great citizen army, is shown by the fact that in order under which provisional officers in the Regular Army are admitted to the provision of retirement. The order is contained in Bulletin 43, dated July 2, 1918, at a time when the American army in France was just beginning its successful push against the reeling German line, and the hospitals were becoming filled with both officers and men who had never thought of entering the army two years before. For the enlisted men of the Regular Army, the law was different.

The distinction in which the provisional officers shared indicated to the wounded men that the inequality was because of long service in the Regular Army which none of them was willing to deny would have a particular claim on remuneration from the Government. These provisional officers differed not at all in training, experience, or professional standing from the reserve officers who may have graduated from the same camp at the same time. There was a sharp distinction which none of them believed to be anything but unjust.

"It is eminently unfair that such a distinction should be made," said Lieutenant Col. Theodore R. Kinkaid, when asked what he thought of it.

The wounded reserve officers, many of them so incapacitated that they could have difficulty in going back to their former work or could not go back to it began to grow bitter and when they arrived in this country brought the question up sharply before Regular Army officers in the hospitals. They found that there was nothing to be done. It was a matter of law—three-quarters pay for disabled Regular Army officers and men, a percentage of \$30 a month for all other officers and men. The retirement clause was left out of the Selective Service Act which put all officers and enlisted men on the same basis of pay and allowances and

Tabular Comparisons of Pay Show Great Discrimination in United States Army

COMPARISON of retirement pay granted Regular Army officers with compensation paid National Guard, National Army and Officers Reserve Corps officers for total disability incurred in active service. Based on base pay of rank, irrespective of length of service, for purposes of computation.

	Retirement Pay Reg. Army.	Compensation O. R. C., N. A. and N. G. A.
Colonel	\$249.99	\$30
Lieutenant-Colonel	218.76	30
Major	187.50	30
Captain	150.00	30
First Lieutenant	125.01	30
Second Lieutenant	106.28	30

Comparison of retirement pay and allowances granted enlisted men of the Regular Army, compared with compensation given men of the same rank in the National Army and National Guard. Based on base pay of first enlistment for purposes of computation.

	Retirement Pay Reg. Army.	Compensation N. G. N. A.
Master Signal Electrician	\$72.00	\$30
First Sergeant	59.50	30
Corporal	31.50	30
Private	27.00	30

A man losing a leg or arm in the National Army or National Guard would get only a percentage of \$30, so that all ranks in the Regular Army would get more money for disability in action.

Other clauses of the military laws specifically debar all but regular officers from such retirement pay.

Illustration Is Given.

If Major-Gen. John F. O'Ryan, commander of the Twenty-seventh Division, leader of the men who broke the Hindenburg line with the British army, had lost a leg, he would be retired with a percentage of \$30 a month, the actual amount depending on how the compensation bureau figured the impairment of his earning capacity. A Captain of engineers in the same division and 445 for his wife and children. If he had been in the Regular Army he could have been retired with a pension of \$300 a month, three-quarters of the base pay of a Major-General.

In the Walter Reed Hospital there was a temporary Captain in the Regular Army, a man who had been advanced from the ranks with a temporary commission, which also falls under the law against retirement pay. He had been one of the highest paid men in his captivity, an electrical expert, and as such would have been retired with a pension based on service of almost \$100 a month. As a temporary captain he was to be retired with a percentage of \$30 a month for partial disability, and he is now trying to establish his status as a non-commissioned status so that he might receive the higher pension. He does not think he will be successful. A Captain of engineers in the same hospital, who entered the army from civil life, had lost part of his right hand and his left eye. Before the war he had been a civil engineer on a Southern railroad at a salary of \$4,500 a year. He found that because of his injuries he could not do the work in his old position, and under the compensation act would get about \$45 a month, whereas if he had been in the Regular Army he would have received \$150 a month.

Regulars See Injustice.
Regular Army officers themselves saw the injustice of this state of affairs. It became the thing to descend on any Regular Army officer who entered the hospital and ask him the reason for the distinction, and there were wounded regulars there who had anything but a happy time. They knew the worth of the reserve men who had fought the battles of the American army on the western front, and they knew the law was unjust. Some of them did not hesitate to say so.

They took the case of two men, both of whom went to Plattsburg and were graduated with the same rank. One went into the regulars and the other into the National Army. The regular, the other became a First Lieutenant. Both were badly wounded, but the man who had received the provisional appointment to the regulars receives \$150 a month retirement pay, while the other gets \$21 a month.

The experience of Second Lieut. Murray Dixon, who before the war was a young lawyer, building up a practice in the South, is typical of most wounded officers who went from civil life. He is now living at 165 St. John's place, Brooklyn, with his parents. He has the Croix de Guerre with two palms and the order of the Legion of Honor. He was in the aviation service, attached to the French army. He lost his right leg from a wound received in July, 1918, when he was flying near Soissons, when the French were trying to beat back the last great German offensive.

Dixon entered the first officers' training camp at Camp McPherson, Ga., on May 11, 1917, soon after this country declared war, and just as soon as he could enter the aviation service. He was commissioned on August 15, 1917, and ordered overseas. While at the camp he was asked if he wished to join the regular army as a provisional officer. He did not.

Reason for His Entrance.
"I did not want to make the army a profession," said Dixon. "I only went in to do my bit in the emergency. I, and I believe, none of the other men knew of these retirement laws. I was one of the men who entered the Regular Army as provisional officers from my class has been promoted, and, of course, can be retired if they have been wounded with three-quarters pay."

He landed in France the last of September, 1917, and in December volunteered for aviation as a provisional officer. In February, 1918, he was appointed instructor in the school for observers at Haussement, and in April, 1918, was assigned to the 15th Aviation Group, French army, for observation work. He won his Legion of Honor decoration for successfully carrying out dangerous bombing missions. He was in the Croix de Guerre for contact patrol work, bombing and shooting German infantry with machine guns, one of the most dangerous bits of work in the aviator's repertoire.

He was in one of the fiercest air battles of the war, when the French sent the army's first bombing plane, a "taxicab" and all, up to the front to combat the great German aerial offensive.

"Within a mile of where I was at least fifty flights were taking place that day," he said, "from a few hundred feet above the ground to a height of 2,000 feet. It was a madhouse of insane work. I just went wild, shot at everything in front of me, and came out of it by sheer luck rather than any skill. Planes were shot down all around us, and why we were not hit is more than I know. I hardly know what happened, even now."

His Leg Amputated.
A brief time later he was hit in the leg by an explosive bullet while flying low over the German lines, and when his pilot dropped him at the hospital thirty miles behind the lines it was necessary to amputate his right leg near the hip. "None of the men realized the joker in the compensation law until they were wounded," he said. "We were too busy to think much about it, and thought we were all on the same basis anyway and that if the compensation were not large it was at least equal. We had read the law that way. But when the wounded officers reserve men in the hospitals be-

gan to ask questions they found that they were not at all on the same basis as the regulars. There was a lot of talk about disability laws, but no one knew what they were.

"When I got to Washington, to the Walter Reed Hospital, I soon found that the worst we had imagined was not as bad as the actual thing. Under the compensation laws all are paid alike, and the limit for total disability is \$30 for an unmarried man without dependents. The Regular Army, the National Army, the National Guard, the Officers Reserve Corps, the Enlisted Reserve Corps, the National Guard while in the service of the United States and such other land forces as are now or may hereafter be authorized by law."

"In an opinion of the Judge Advocate General based on that act he said: 'There is but one army of the United States and every organization, bureau, officer and man in the military service is part of it. When the selective service act was passed section 10 provided that 'all officers and enlisted men of the forces herein provided for other than the Regular Army shall be on the same basis as the same footing as to pay, allowances and pensions as officers and enlisted men of the United States and such other land forces as are now or may hereafter be authorized by law.'"

Then on the last day of July, 1918, Gen. Peyton C. Smith, one of the State announced that all differences in the various organizations abroad had been abolished and that thereafter they would be all on the same footing, with the initials "U. S." on the collar. It was that more than any one thing which gave the common impression, among civilians and those in the army, that there was no difference between the Regular Army and other forces, although men and officers in the army were all on the same footing, with the initials "U. S." on the collar. It was that more than any one thing which gave the common impression, among civilians and those in the army, that there was no difference between the Regular Army and other forces, although men and officers in the army were all on the same footing, with the initials "U. S." on the collar.

Gen. March's Comment.
In an interview early in August Gen. March said of this order:

"It democratizes the military machine. The distinction of the draft has made a great military machine in which we do not propose to have any differences, in the public estimation, in any branch of it. They are all to be on a basis of equality. All these recruits require the Regular Army, from the National Guard and from civil life—and as the war proceeds and the training and experience of all these recruits require that they be on an absolutely equal basis. There should be nothing to indicate that any one is in any sense better than any other."

That was the point raised by an officer of the Officers Reserve Corps when he wrote to the *Army and Navy Journal*:

"I submit that as a matter of law and justice when the unification act reduced the five year term of reserve officers and placed all officers in one army it automatically killed the provisions denying retirement pay. If they were all one army, all on one footing and fighting or training together in one common body, then all officers, whether regular, reserve, National Army or National Guard, who become disabled in such service should also be upon an equal footing. Our government is too big, too wealthy and too proud to subject disabled officers to actual want and suffering with a small pension. I have no idea it was ever intended by our army officers in Washington, our legislators and certainly not by the Secretary of War. I make this statement with implicit confidence in the absolute fairness of these gentlemen."

The trouble was that all officers, not of the Regular Army were specifically barred from retirement pay by several sections, two of which were in the army act of June, 1916. These were:

"Section 1546. Officers of the Officers Reserve Corps shall not be entitled to retirement or retired pay, and shall be entitled to pension only for disability incurred in the line of duty and while in active service."

"Section 1551. No reserve officer or temporary second Lieutenant appointed pursuant to this act shall be entitled to retirement or to retired pay, and shall be eligible for pension only for disability incurred in line of duty in active service, or while serving with the Regular Army pursuant to the provisions of this act."

Pension Provision.
The word "pension" is also found in the selective service act, which puts all officers and men on the same basis of pay, allowances and pension as the Regular Army, for there is a pension law which applies to officers in the Regular Army. This, as regards higher officers,

is almost identical with the provisions of the more recent compensation law, and provides that Lieutenant-Colonels and all officers of higher rank in the military service may for total disability receive a pension of \$30 a month; Majors, \$25 a month; Captains, \$20 a month; First Lieutenants, \$15 a month, and Second Lieutenants \$10 a month.

But no Regular Army officer takes advantage of that pension law when he can be retired on three-quarters pay, and so leaves the service under these sections of the law.

"Section 968. When any officer has become incapable of performing the duties of his office he shall be either retired from active service or wholly retired from the service by the President as hereinafter provided."

"Section 981. When a retiring board finds that an officer is incapacitated for active service, and that his incapacity is the result of an incident of service, and such decision is approved by the President, said officer shall be retired from active service and placed on the list of retired officers."

"Section 984. Officers hereafter retired from active service shall be retired upon the actual rank held by them at the date of retirement."

"These retirements are based on peace pay with such increases for long service as may have accrued to the time of retirement, so that the actual retirement salary of most regular army officers is higher than that given in the table where the amounts are based on base pay for the given rank. But provisional officers who entered the army from civil life have no such increases. Only Congress however, can alter the law."

Retired Bank Notes Circulating.
Bank tellers, post office employees and others are on the watch for dollar Federal Reserve Bank notes which have been raised to \$5. Several of the counterfeiters already have been found in circulation. By some means or less than most the work person boosted the value of the bills. The counterfeit is easily detected.

by law. Commissioners in the National Guard (drafted into the service of the United States) and the National Army are for the period of the emergency and can be terminated by the President for any cause which in the judgment of the President would promote the public service, or upon the approved finding of a board of officers appointed by the General commanding a division or higher tactical organization or territorial department."

Some officers, asked about the reason for these distinctions, gave "hurried legislation" as the cause, but Lieut.-Col. Kinkaid says on that subject:

"The real criticism, in my mind, goes not alone to the administration of military justice, but to the fact that all our military legislation has been conceived and drafted by professional Regular Army officers, whose judgment and experience, in some matters at least, may be questioned by laymen."

Retired enlisted men of the Regular Army also get 75 per cent. of the peace pay of their rank and enlistment period, and in addition get \$15.75 a month as commutation of clothing ration, quarters, fuel and light.

As New York furnished many thousands of officers in the war—Gen. O'Ryan has said that the Twenty-seventh, while still the guard, furnished more than 5,000—wounded officers and men coming back to this city are becoming more and more interested in the unequal working of the retirement and compensation laws. It is likely to become a matter of serious concern for members of the Twenty-seventh. Only Congress however, can alter the law.

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FRENCH GOUGING IS DECLARED UNTRUE

Brig.-Gen. C. G. Dawes Shows Falsity of Charges.

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Paris, April 6.—Tales that the French Government charged the American Expeditionary Force exorbitant prices for the shipment of supplies purchased from France and made the United States pay for villages destroyed by shelling and for trenches, dugouts and cemeteries, are entirely untrue.

In fact, for the first seven months that American troops were in France the United States was dependent upon France for the necessary material. Brig.-Gen. Charles G. Dawes of Chicago, formerly general purchasing agent for the American force and now with the Liquidation Commission, in connection with which Secretary Baker is coming to France, says that only one-tenth of the material necessary from June 17 to February 18 came from the United States, while during all the time that the American troops have been here the French have furnished almost exactly half of the supplies used. The American force never has been self-supporting.

Furthermore, the French Government protected the American Expeditionary Force from extortion. Whatever goods it sold to the army were sold at cost, and when the American army bought commodities from a French Government commission inspected the transaction, and if the Americans were overcharged the commission stepped in and requisitioned the supplies and then sold them to the American force at cost.

The French Government's bill against the United States for transportation, supplies and other services, has not been presented and the French do not know that it will be.

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